

REMARKS

Claims 1-31 are pending. By this Amendment, claims 3, 12, 20-24, and 27 are cancelled, claims 1, 4, 8, 11, 13-16, 18, 25-26, and 28-31 are amended. No new matter is introduced by these amendments. While Applicant does not acquiesce in the Examiner's assertions and rejections with respect to un-discussed features of dependent claims, Applicant does not consider these issues further here since they are moot in view of the comments below with respect to the amended independent claims.

§ 112 Rejections

Claim 8 stands rejected for lack of antecedent basis for “the thermopolymer fastener” claimed therein. Applicant has amended claim 8 so that it properly depends from claim 7 to address this rejection.

Claim 12 stands rejected as being redundant in view of claim 11. Applicant has cancelled claim 12 without prejudice or disclaimer.

Claims 18, 20-24, and 29-31 stand rejected based on the Examiner's assertion that the fastener limitations do not further limit the claims. Applicant has amended claim 18 to remove reference to the “threaded member.” Applicant has further canceled claims 20-24 without prejudice or disclaimer. With respect to claims 29-31, the preamble for independent claim 25, and all claims depending therefrom, including claims 29-31, has been amended to claim a breakaway torque wrench “system” to address this rejection.

§ 103 – Ohlson in view of Bahr

Claims 1, 5, 6 and 9-10 stand rejected under 35 USC § 103(a) as being unpatentable over Ohlson in view of Bahr. Applicant respectfully traverses this rejection as neither Ohlson nor

Bahr, nor any combination thereof, teach or suggest the limitations of the amended claims, and specifically the polymer breakaway torque wrench of amended independent claim 1. Namely, neither reference teaches a handle operably connected to an angled flex portion of an arcuate engagement portion such that the angled flex portion correspondingly approaches a threaded member during rotational movement until a predefined torque level is reached causing at least one protrusion of the arcuate engagement portion to disengage from the threaded member, as provided in amended independent claim 1.

§ 103 – Ohlson in view of Bahr and Young

Claims 7-8, and 11-12 stand rejected under 35 USC § 103(a) as being unpatentable over Ohlson in view of Bahr and Young. Applicant respectfully traverses this rejection as Ohlson, Bahr and Young, do not individually or in combination, teach or suggest the limitations of the amended claims, and specifically the method of amended independent claim 11. Namely, none of the references teach a method of operating a polymer breakaway torque wrench, wherein the torque wrench includes a handle and an arcuate engagement portion having an angled flex portion operably connected to the handle, such that the angled flex portion correspondingly approaches a threaded member during rotational movement until a predefined torque level is reached causing at least one protrusion of the arcuate engagement portion to forceably disengage from the threaded member, as provided in amended independent claim 11.

§ 103 – Ohlson in view of Bahr and Mardirossian

Claims 2-3, 13, 15, 17-25 and 27-31 stand rejected under 35 USC § 103(a) as being unpatentable over Ohlson in view of Bahr and Mardirossian. Applicant respectfully traverses this rejection as Ohlson, Bahr and Mardirossian, do not individually or in combination, teach or

suggest the limitations of the amended claims, and specifically the breakaway torque wrench of amended independent claims 15 and 25. Namely, none of the references teach a breakaway torque wrench including a handle and an arcuate engagement portion having an angled flex portion operably connected to the handle, such that the angled flex portion correspondingly approaches a threaded member during rotational movement or actuation until a predefined torque level is reached and at least one protrusion of the arcuate engagement portion disengages from the threaded member.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Matthew T. Macari", with a long horizontal flourish extending to the right.

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